

UNITED STATES DISTRICT COURT _____
EASTERN DISTRICT OF NEW YORK

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:
JOSE L. MOLINA, *pro se*, :
:
Plaintiff, :
:
-against- :
:
CARROLL STREET PROPERTIES; :
MICHAEL O'NEILL; JULIO BENOIT; :
PATRON BURGER; MANUEL TEJADAL; :
TRONNE THOMES, :
:
Defendants. :
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SUMMARY ORDER
DENYING LEAVE TO FILE
08-MC-581 (DLI)(LB)

DORA L. IRIZARRY, United States District Judge:

By an order dated June 20, 2008, this Court enjoined plaintiff from filing any new civil action and from seeking *in forma pauperis* status without first obtaining prior leave of Court. Molina v. FBI Clerk, 08-CV-1757 (RJD). Specifically the Court ordered that:

(1) plaintiff is enjoined from filing any new *in forma pauperis* action in this Court without obtaining leave of Court; (2) the Clerk of Court is directed to return to plaintiff, without filing, any *in forma pauperis* action which is received from plaintiff without an application seeking leave to file; (3) if the Court grants plaintiff leave to file a new action, the civil action shall be filed and assigned a civil docket number; (4) if leave to file is denied, plaintiff's submission shall be filed on the Court's miscellaneous docket.

The instant action was filed in the United States District Court for the Southern District of New York. To the extent the Court can ascertain his allegations, plaintiff alleges abuse by individuals, most of whom have been named in previous actions filed in this Court and dismissed for failure to state a claim. A substantial part of the events or omissions alleged in the complaint arose in this district; thus, the action was transferred to this Court on November 10, 2008. Plaintiff

may not circumvent this Court's bar order by filing actions related to this district in a different venue.

Plaintiff is DENIED leave to file the instant action. The Court's Order barring him from filing future *in forma pauperis* complaints remains in effect. The Clerk of Court is directed to return any future *in forma pauperis* complaints submitted by plaintiff that do not contain a request for leave to file. The Court certifies pursuant to 28 U.S.C. § 1915 (a)(3) that any appeal from this Order would not be taken in good faith. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

DATED: Brooklyn, New York
March 24, 2009

_____/s/_____
DORA L. IRIZARRY
United States District Judge